IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

Bail Appl..No. 1572 of 2007()

CRIME NO.24 OF 2007 OF THE ARTHINKAL POLICE STATION

PETITIONER/ACCUSED

VINOY, AGED 38 YEARS, S/O.VIJAYAN,
VELIYIL HOUSE, CHERTHALA SOUTH PANCHAYATH,
WARD NO: 12, CHERTHALA, ALAPPUZHA DISTRICT.

BY ADV. SRI.K.RAMANATHAN

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
CHIEF SECRETARY OF KERALA, THROUGH THE
PUBLIC PROSECUTOR, ALAPPUZHA.

2. THE SUB INSPECTOR OF POLICE,
ARTHUNKAL POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
ALAPPUZHA.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application No. 1572 of 2007

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DATED: 16-03-2007

O R D E R

Petitioner who is the accused in Crime No. 24 of 2007 of the Arthunkal Police Station, Cherthala, for offences punishable under Sections 55(a) and 55 (g) of the Abakri Act for allegedly having been found in possession of 105 litres of wash and 500 ml. of illicit arrack on 14-2-2007, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably, on the same date on which it is filed .

This Application is, accordingly, disposed of .

V.RAMKUMAR,

JUDGE.

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